'7' Jury Overcame 3-Day Deadlock

By William Braden
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CHICAGO, Feb. 19—The "Chicago 7" conspiracy trial jury initially was deadlocked, with four jurors convinced that all seven defendants were innocent, according to a juror who played a key role in the panel's deliberations.

The eight other jurors were convinced that all seven defendants were guilty of all charges, Kay S. Richards said Wednesday night in an exclusive interview with the Chicago Sun-Times.

Miss Richards, 23, a computer operator, said that she was one of the eight but that she served as negotiator between the two groups.

The jury began its deliberations last Saturday.

Miss Richards said the jurors finally voted at 10 a.m. Wednesday that five of the defendants were innocent of conspiracy but guilty of crossing state lines individually to incite riots at the 1968 Democratic National Convention. The jury acquitted two defendants — John Froines and Lee Weiner—on both counts.

Miss Richards said she thought Saturday the jury was going to be hopelessly deadlocked.

"There were two groups," she said, "and each felt they had their own point of view and they wouldn't change it. I went in there with the idea I didn't think we'd get an agreement.

"At first I was a hardliner for finding all seven of them guilty on both counts. And then I went soft. I felt as a responsible juror I had to come up with a solution. So I became the negotiator."

Miss Richards said the jurors took three secret ballots Saturday.

"I'm not sure I remember exactly at this point," she said. "But I think that it was 8 to 4 conviction the first time. Then 9 to 3. And then, after lunch, 8 to 4 again.

"The point is, we were all anxious to go home. And, due to anxiety, one woman in the group of four fluctuated back and forth and would do whatever was decided in order to get home.

"But the way it ended, Saturday night, all four were still saying that the seven were innocent of all the charges."

Miss Richards said the four were all women and the group of eight consisted of six women and two men.

"The problem Saturday was a communications problem," she said. "Many of us had our notions about the evidence, and we were offering a lot of opinions rather than deliberating on the evidence itself.

"Sunday we started to talk about the testimony, and we discussed the evidence less emotionally. But we still didn't get anywhere, and we didn't even bother to take any more ballots. We each knew what the others thought anyway.

"Monday, I sat down with the three women who were really hardliners for finding the seven innocent. And we reread the whole indictment. I was looking for a compromise but before we read the indictment I just talked about their feelings and tried to establish what we agreed on. And from there we decided that something should be done.

"It turned out that the three women thought the law the defendants were indicted under was unconstitutional. I pointed out it was our job to decide whether these men had broken the law, and it was the job of an appeals court to decide if the law was constitutional.

"So we agreed we should not be a hung jury. We had decided now to compromise, and it was just a question of how to compromise.

"Te three said they would never agree to find anybody guilty on the first count—that they all conspired together. And they said they didn't think Froines and Weiner were guilty on either count. They said they would go back to the hotel and think about it.

"Actually, only two of them were really convinced we should compromise. And they said they would talk to the third one."

Miss Richards said the jurors asked to be excused at the dinner hour after the first two days and that they continued their discussions in two groups at night in their rooms at the Palmer House where the jury had been sequestered since Sept. 30.

"Feelings were so high with the two groups against each other," she said, "we just didn't feel at ease there in the jury room together."

Tuesday morning, said Miss Richards, the three women told her they would consent to find five defendants guilty on the second count but not the first count, and that Froines and Weiner should be let off on both counts.

"They said they still didn't feel the five had done exactly what the indictment stated," said Miss Richards. "But they said if the rest of us would agree, they would consent to the compromise.

"So now the problem was to convince the other seven. And I acted again as the go-between.

"The eight of us discussed it the rest of Tuesday morning and all afternoon. And finally we decided to go back to the hotel again and think about it there.

"Tuesday night at the hotel the other seven in the group agreed to the compromise. They didn't feel it was right, they said, but they would consent and do it.

"Wednesday morning, we came in at 9:30 a.m. The two groups got together and we voted orally. It took us just half an hour to reach a verdict, at 10 a.m., and we sent word to the judge. But we had to wait until about 12:15 p.m. before we were brought into court. I don't know why."

The five defendants found guilty were David T. Dellinger, Rennie Davis, Thomas Hayden, Abbie Hoffman and Jerry Rubin.

U.S. ATTORNEY FORAN . . . stressed intent